

**State of New Hampshire  
Office of Licensed Allied Health Professionals  
Respiratory Care Practitioners Governing Board  
Concord, New Hampshire 03301**

In the Matter of:  
Christopher M. Blouin, RCP  
No.: 0682  
(Misconduct Allegations)

**SETTLEMENT AGREEMENT**

In order to avoid the delay and expense of further proceedings and to promote the best interests of the public and the practice of medicine, the New Hampshire Respiratory Care Practitioners Governing ("Board") and Christopher M. Blouin, RCP ("Mr. Blouin" or "Respondent"), a respiratory care practitioner licensed by the Board, do hereby stipulate and agree to resolve certain allegations of professional misconduct now pending before the Board according to the following terms and conditions:

1. Pursuant to RSA 328-F:23, RSA 328-F:24 and Allied Health Professionals Administrative Rule ("Ahp") 209 and 213, the Board has jurisdiction to investigate and adjudicate allegations of professional misconduct committed by respiratory care practitioners. Pursuant to RSA 328-F:24, VI, and Ahp 214.01 the Board may, at any time, dispose of such allegations by settlement without completing a disciplinary hearing.
2. Respondent holds license number 0682 to practice respiratory care in the State of New Hampshire. Respondent was previously employed as a respiratory care practitioner at Monadnock Community Hospital in Peterborough, New Hampshire. The Board issued an Order of Emergency License Suspension and Notice of Hearing against Mr. Blouin on May 2, 2006. The Board dismissed the Emergency Suspension

hearing without prejudice on May 11, 2006 because Mr. Blouin was unable to attend the Hearing.

3. The Board received information that Mr. Blouin had been terminated from his employment and that he was impaired by a substance abuse problem. In response to this, the Board conducted an investigation and obtained information from various sources pertaining to Respondent's condition.
4. Respondent stipulates that if a disciplinary hearing were to take place, Hearing Counsel would offer evidence that Respondent engaged in professional misconduct, in violation of RSA 328-F:23 and RSA 328-F:25 by the following facts:
  - A. During the first week of January 2006, a supervisor observed Mr. Blouin to be impaired by alcohol while at work at Monadnock Hospital. Mr. Blouin admitted that he had been drinking. The hospital suspended Mr. Blouin and encouraged him to enroll in substance abuse treatment through the Employee Assistance Program.
  - B. Mr. Blouin returned to work and was required to submit to a daily breath test for alcohol. On March 16, 2006, Mr. Blouin failed a breath test and was terminated from employment. Respondent failed to notify the Board of his termination of employment.
  - C. Additional information was obtained that Mr. Blouin has suffered from a substance abuse problem for several years. He has never received long-term substance abuse treatment.

D. Mr. Blouin was convicted of driving under the influence second offense on February 16, 2006, in the Jaffrey District Court. Mr. Blouin was ordered to serve 30 days in jail followed by a seven day multiple offender treatment program. Mr. Blouin failed to provide notice to the Board that he was convicted of that offense.

E. Mr. Blouin last provided a home address in West Swanzey. Mr. Blouin has not resided at that address for at least five months. He failed to provide a current address to the Board.

4. The Board finds that Respondent committed the acts as described above and concludes that, by engaging in such conduct, Respondent committed professional misconduct by:

- A. Reporting to work under the influence of alcohol in violation of RSA 328-F:23, II(f);
- B. Failing to report to the Board that he was convicted of misdemeanor driving while intoxicated second offense by the Jaffrey District Court in violation of RSA 328-F:23, II(b) and RSA 328-F:25, 1;
- C. Failing to provide the Board with notice of his change of home address within 30 days as required by RSA 328-F:23, II(j) and Ahp 403.02; and,
- D. Failing to provide the Board with notice of the termination of his employment with Monadnock Hospital in violation of RSA 328-F:23, II (j) and Ahp 403.01.

5. Respondent acknowledges that this conduct constitutes grounds for the Board to impose disciplinary sanctions against Respondent's license to practice respiratory care in the State of New Hampshire.
6. Respondent consents to the Board imposing the following discipline, pursuant to RSA 328-F:23, IV:
  - A. Respondent is REPRIMANDED.
  - B. Respondent's license is SUSPENDED until Respondent successfully completes a long-term comprehensive program for substance abuse and obtains an anger management evaluation and follows recommendations. Respondent must submit proof of completion of these programs to the Board for its approval prior to the license being reinstated. The programs must be operated by licensed professionals.
  - C. Should Respondent's license be reinstated, he must practice under supervision for a period of two years. Supervision is defined as working directly with another licensed respiratory care practitioner.
  - D. Should Respondent's license be reinstated, he must submit to random alcohol and/or drug screens for a period of three years.
  - E. Respondent shall bear all costs of the treatment, evaluation, and reporting required by this *Settlement Agreement*, but he shall be permitted to share such costs with third parties.
  - F. The Board may consider Respondent's compliance with the terms and conditions herein and with the recommendations of the treating mental health

and substance abuse professional in any subsequent proceeding before the Board regarding Respondent's license.

- G. Within ten (10) days of the effective date of this agreement, as defined further below, Respondent shall furnish a copy of the *Settlement Agreement* to any current employer for whom Respondent performs services as a respiratory care practitioner or work which requires a respiratory care license or directly or indirectly involves patient care, and to any agency or authority which licenses, certifies or credentials physicians, with which Respondent is presently affiliated.
- H. For a continuing period of three (3) years from the effective date of this agreement, Respondent shall furnish a copy of this *Settlement Agreement* to any employer to which Respondent may apply for work as a respiratory care practitioner or for work in any capacity which requires a respiratory care license or directly or indirectly involves patient care, and to any agency or authority that licenses, certifies or credentials respiratory care practitioners, to which Respondent may apply for professional privileges or recognition.
7. Respondent's breach of any terms or conditions of this *Settlement Agreement* shall constitute unprofessional conduct pursuant to RSA 328-F:23, and a separate and sufficient basis for further disciplinary action by the Board.
8. Except as provided herein, this *Settlement Agreement* shall bar the commencement of further disciplinary action by the Board based upon the misconduct described above. However, the Board may consider this misconduct as evidence of a pattern of conduct

in the event that similar misconduct is proven against Respondent in the future. Additionally, the Board may consider the fact that discipline was imposed by this Order as a factor in determining appropriate discipline should any further misconduct be proven against Respondent in the future.

9. This *Settlement Agreement* shall become a permanent part of Respondent's file, which is maintained by the Board as a public document.
10. Respondent voluntarily enters into and signs this *Settlement Agreement* and states that no promises or representations have been made to him other than those terms and conditions expressly stated herein.
11. The Board agrees that in return for Respondent executing this *Settlement Agreement*, the Board will not proceed with the formal adjudicatory process based upon the facts described herein.
12. Respondent understands that his action in entering into this *Settlement Agreement* is a final act and not subject to reconsideration or judicial review or appeal.
13. Respondent has had the opportunity to seek and obtain the advice of an attorney of his choosing in connection with his decision to enter into this agreement.
14. Respondent understands that the Board must review and accept the terms of this *Settlement Agreement*. If the Board rejects any portion, the entire *Settlement Agreement* shall be null and void. Respondent specifically waives any claims that any disclosures made to the Board during its review of this *Settlement Agreement* have prejudiced his right to a fair and impartial hearing in the future if this *Settlement Agreement* is not accepted by the Board.

15. Respondent is not under the influence of any drugs or alcohol at the time he signs this *Settlement Agreement*.
16. Respondent certifies that he has read this document titled *Settlement Agreement*. Respondent understands that he has the right to a formal adjudicatory hearing concerning this matter and that at said hearing he would possess the rights to confront and cross-examine witnesses, to call witnesses, to present evidence, to testify on his own behalf, to contest the allegations, to present oral argument, and to appeal to the courts. Further, Respondent fully understands the nature, qualities and dimensions of these rights. Respondent understands that by signing this *Settlement Agreement*, he waives these rights as they pertain to the misconduct described herein.
17. This *Settlement Agreement* shall take effect as an Order of the Board on the date it is signed by an authorized representative of the Board.

**FOR RESPONDENT**

Date: 6/8/06

Christopher M. Blouin  
Christopher M. Blouin, RCP  
Respondent

**FOR THE BOARD/\***

This proceeding is hereby terminated in accordance with the binding terms and conditions set forth above.

Date: 10 August 2006

Carol Ann  
(Signature)

*N.H. Respiratory Care Practitioners Governing Board  
In re: Christopher M. Blouin, RCP  
Settlement Agreement*

CARL J. Rod, RCP  
(Print or Type Name)  
Authorized Representative of the  
New Hampshire Respiratory Care  
Practitioners Governing Board

/\* Sean Kenneally, Board member, recused.

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